United Nations A/RES/58/27 A-B

General Assembly

Distr.: General
30 January 2004

Fifty-eighth session
Agenda items 28 and 40 (*f*)

## Resolution adopted by the General Assembly

[*without reference to a Main Committee (A/58/L.32 and Add.1)*]

## 58/27. Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan and the situation in Afghanistan and its implications for international peace and security

### A

THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY

*The General Assembly*,

*Recalling* its resolution 57/113 A of 6 December 2002 and all its previous relevant resolutions,

*Recalling also* all relevant Security Council resolutions and statements by the President of the Council on the situation in Afghanistan, in particular resolutions 1267 (1999) of 15 October 1999, 1378 (2001) of 14 November 2001, 1383 (2001) of 6 December 2001, 1390 (2002) of 16 January 2002, 1401 (2002) of 28 March 2002, 1453 (2002) of 24 December 2002 and 1510 (2003) of 13 October 2003,

*Reaffirming its continued strong commitment* to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and respecting its multicultural, multi-ethnic and historical heritage,

*Reaffirming its condemnation* of all use of Afghan territory for terrorist activities, and welcoming the ongoing successful efforts of the Afghan people and the Operation Enduring Freedom coalition to combat terrorism on their territory,

*Convinced* that the main responsibility for finding a political solution lies with the Afghan people themselves, expressing in this regard its full support for President Karzai and the Afghan Transitional Administration, and reaffirming its continued support for the implementation of the provisions of the agreement reached among various Afghan groups in Bonn, Germany, on 5 December 2001,[1] including the holding of free and fair elections in 2004,

[1] Agreement on Provisional Arrangements in Afghanistan Pending the Re-establishment of Permanent Government Institutions (see S/2001/1154).

*Convinced also* that a political consolidation aimed at the adoption of a pluralistic and democratic constitution and the establishment of a broad-based, multi-ethnic, fully representative and gender-sensitive government, which respects the rule of law, the human rights of all Afghans and the international obligations of Afghanistan and is committed to peace with all countries, can lead to durable peace and reconciliation,

*Recognizing* the urgent need for the creation of an effective and ethnically balanced Afghan national army, Ministry of Defence and national police force, and acknowledging the importance of the first steps taken in this regard by the Transitional Administration,

*Reiterating* that a fair and effective justice system that respects international norms and standards, including by ensuring the accountability of perpetrators of violations of human rights, remains of high importance,

*Encouraging* the Transitional Administration to consider initiating a process of national reconciliation,

*Taking note* of the positive developments in Afghanistan in the past two years, in particular the return of a large number of refugees and internally displaced persons, the increased Afghan ownership as illustrated by the progress in implementing education and health programmes, the development of a comprehensive national budget, the introduction of the new currency, the publication of a draft text for a constitution, the beginning of the disarmament, demobilization and reintegration process and the reforms thus far in the security sector, and stressing that these processes should be expedited and carried through to completion,

*Expressing its appreciation and strong support* for the ongoing efforts of the Secretary-General, his Special Representative for Afghanistan and the staff of the United Nations Assistance Mission in Afghanistan to promote peace and stability in Afghanistan, stressing in particular in this regard the highly valuable role that the current Special Representative of the Secretary-General has played throughout the ongoing process,

*Reiterating* that the United Nations must continue to play its central and impartial role in the international efforts to assist the Afghan people in consolidating peace in Afghanistan and rebuilding their country and its institutions, as well as in efforts to provide humanitarian assistance, provide for rehabilitation and reconstruction and national capacity-building and facilitate the orderly return of refugees,

*Recognizing* the need for continued strong international commitment to humanitarian assistance and for programmes, under the ownership of the Transitional Administration, of rehabilitation and reconstruction, and noting that visible progress in this regard can further enhance the authority of the Transitional Administration and greatly contribute to the peace process,

*Commending* the international efforts to help the Transitional Administration to provide a secure environment in Afghanistan, and stressing the need for a coordinated approach across all parts of the security sector and the importance of a national army and police force that are ethnically balanced, professional and accountable to legitimate civilian authorities,

*Welcoming*, in this regard, the important role played by both the International Security Assistance Force and its respective lead nations in improving security conditions in and around Kabul and other parts of Afghanistan,

*Recognizing* the need for Afghanistan and its neighbours to work closely together to promote peace, security, stability and mutually beneficial relations, including through trade and investment, and welcoming therefore the signature of the Kabul Declaration on Good-neighbourly Relations on 22 December 2002[2] and the Declaration on Encouraging Closer Trade, Transit and Investment Cooperation on 22 September 2003,

*Noting* that, despite improvements in the security sector, the lack of security still remains the most serious challenge facing Afghanistan and Afghans today, expressing its deep concern over a number of recent security incidents in Afghanistan, including the terrorist attacks against United Nations staff, national and international humanitarian personnel and the International Security Assistance Force, noting the necessity of further enhancing the capacity of the Transitional Administration to exercise its authority nationwide, and commending the steps already taken in that regard,

*Deeply concerned* about the continued increase in the cultivation, production and trafficking of narcotic drugs in Afghanistan, which is undermining stability and security, as well as the political and economic reconstruction of Afghanistan, and has dangerous repercussions in the region and far beyond, and welcoming in this context the commitment of the Transitional Administration to rid Afghanistan of this pernicious production and trade,

*Recognizing* that the social and economic development of Afghanistan, specifically the development of gainful and sustainable livelihoods in the formal productive sector, is an important condition for the successful implementation of the comprehensive national drug control strategy of the Transitional Administration,

*Recognizing also* the need for enhanced international cooperation and support to accelerate the implementation of the Afghan national drug control strategy, and looking forward in this regard to the international counter-narcotics conference in Kabul in 2004, to be hosted by the Transitional Administration, the United Nations and the United Kingdom of Great Britain and Northern Ireland,

1. *Takes note* of the report of the Secretary-General;[3]

2. *Welcomes* the recent Security Council mission to Afghanistan and its report,[4] which contains several positive recommendations;

3. *Stresses* that the fragile situation in Afghanistan poses a continuing risk to peace and stability in the region, and expresses its determination to further assist the efforts of the Transitional Administration to prevent the use of Afghan territory for terrorism;

4. *Reiterates its strong support* for the Transitional Administration in the full implementation of the Bonn Agreement,[1] endorses its priorities, as presented in the National Development Framework and national budget, which are the restoration of the economic infrastructure, the strengthening of the central

[2] S/2002/1416, annex.

[3] A/58/616.

[4] S/2003/1074.

government, the constitutional process, the building of a national army and police force under civilian control, the verified and fair implementation of disarmament, demobilization and reintegration, demining activities, the rebuilding of the justice system, respect for human rights, and combating illicit drug production and trafficking, and urges the international community to support the efforts in these areas;

5. *Stresses* the importance of strengthening the authority of the Transitional Administration, facilitating security sector reform and reconstruction efforts throughout the country and providing a secure environment for the constitutional process and the preparations for the general elections, and in this regard welcomes the recent expansion of the International Security Assistance Force mandate in accordance with the Bonn Agreement, as well as the progressive establishment of provincial reconstruction teams in various parts of Afghanistan;

6. *Calls upon* all Afghan groups to renounce the use of violence, respect human rights and international humanitarian law, respect the authority of the Transitional Administration and implement fully the provisions of the Bonn Agreement;

7. *Welcomes* the role of the Afghan Independent Human Rights Commission in the promotion and protection of human rights and fundamental freedoms in Afghanistan, including through the provision of expert advice to the Constitutional Commission, and encourages the Transitional Administration and the international community to continue to provide appropriate assistance and support to allow the Afghan Independent Human Rights Commission to fulfil its mandate;

8. *Stresses* the fundamental importance for a peaceful, democratic Afghanistan of the upcoming constitutional Loya Jirga and elections in 2004, in accordance with the time frame set out in the Bonn Agreement for the creation of a representative government, and underscores the need for the broad and open participation of all Afghans, including women, in the political process in a secure environment;

9. *Reiterates* the importance of the full and equal participation of and representation by women in political, civil, economic, cultural and social life throughout the country, calls upon the Transitional Administration to protect and promote the equal rights of men and women, and notes in this respect the ratification by Afghanistan of the Convention on the Elimination of All Forms of Discrimination against Women[5] on 5 March 2003;

10. *Commends and strongly supports* the important role of the Special Representative of the Secretary-General for Afghanistan and the staff of the United Nations Assistance Mission in Afghanistan in support of efforts of the Transitional Administration to fully implement the Bonn Agreement, and endorses the concept of the Assistance Mission as a fully integrated Mission under the authority of the Special Representative and with a light international footprint;

11. *Calls upon* donor countries to fulfil promptly their assumed commitments made at the International Conference on Reconstruction Assistance to Afghanistan, held in Tokyo on 21 and 22 January 2002, and reiterated in Dubai on 21 September 2003, invites them to provide additional resources beyond those pledged so far, and also calls upon all Member States to provide humanitarian assistance and to support

[5] Resolution 34/180, annex.

the Transitional Administration through measures in accordance with the national development budget published by the Transitional Administration;

12. *Calls upon* the international community to support the efforts of the Transitional Administration to coordinate assistance, to formulate a strategy for the long-term development of Afghanistan and to allocate sufficient funds to the Afghanistan Reconstruction Trust Fund;

13. *Calls upon* the signatories of the Kabul Declaration on Good-neighbourly Relations[2] to respect their commitments under the Declaration, and calls upon all other States to respect and support the implementation of its provisions and to promote regional stability;

14. *Welcomes*, in this regard, the signing of the Declaration on Encouraging Closer Trade, Transit and Investment Cooperation as a further sign of the commitment of Afghanistan and its neighbours to closer regional cooperation;

15. *Calls upon* the members of the Tripartite Commission to redouble their efforts to support peace and security in the southern and south-eastern border areas of Afghanistan;

16. *Calls* for continued international assistance to the vast number of Afghan refugees and internally displaced persons to facilitate their safe and orderly return and sustainable reintegration into society so as to contribute to the stability of the entire country;

17. *Welcomes* the efforts of the Transitional Administration to respect fully the international obligations of Afghanistan with regard to narcotic drugs, and calls upon it to strengthen further its efforts to eliminate the annual poppy crop, as well as to efficiently enforce relevant national laws and regulations against narcotic drugs;

18. *Calls upon* the international community to assist the Transitional Administration in the implementation of its comprehensive national drug control strategy, aimed at eliminating illicit poppy cultivation, which continues to constitute a serious threat to the successful political and economic reconstruction of Afghanistan, including through support for increased law enforcement, crop substitution and other alternative livelihood and development programmes and capacity-building for drug control institutions;

19. *Supports* the fight against the illicit trafficking of drugs and precursors within Afghanistan and in neighbouring States and countries along trafficking routes, including increased cooperation among them to strengthen anti-narcotic controls to curb the drug flow, and welcomes the presentation in Moscow on 29 October 2003 of the latest report of the United Nations International Drug Control Programme on drugs in Afghanistan;

20. *Requests* the Secretary-General to report to the General Assembly every four months during its fifty-eighth session on the progress of the United Nations and the efforts of his Special Representative to promote peace in Afghanistan, and to report to the Assembly at its fifty-ninth session on the progress made in the implementation of the present resolution;

21. *Decides* to include in the provisional agenda of its fifty-ninth session the item entitled "The situation in Afghanistan and its implications for international peace and security".

*70th plenary meeting*
*5 December 2003*

## B

### EMERGENCY INTERNATIONAL ASSISTANCE FOR PEACE, NORMALCY AND RECONSTRUCTION OF WAR-STRICKEN AFGHANISTAN

*The General Assembly*,

*Recalling* its resolution 57/113 B of 6 December 2002 and all other relevant resolutions,

*Recalling also* the agreement reached among various Afghan groups in Bonn, Germany, on 5 December 2001[1] and the International Conference on Reconstruction Assistance to Afghanistan, held in Tokyo on 21 and 22 January 2002,

*Expressing its grave concern* about the continuing effects of decades of conflict in Afghanistan, which have resulted in massive loss of life, extensive human suffering, serious violations of human rights, destruction of property, serious damage to the economic and social infrastructure, refugee flows and other forcible displacements of large numbers of people,

*Mindful* that Afghanistan is highly vulnerable to natural disasters and that some parts of its territory continue to be affected by serious drought,

*Noting* the accession of Afghanistan to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[6]

*Remaining deeply concerned* about the problem of millions of anti-personnel landmines and unexploded ordnance, which constitutes a great danger for the civilian population and a major obstacle for the return of refugees and displaced populations and for the resumption of agricultural and other economic activities, the provision of humanitarian assistance and rehabilitation and reconstruction efforts,

*Welcoming* the positive steps taken so far towards an improved situation of human rights and fundamental freedoms for many Afghans, in particular women and children, and commending in this regard the positive role played by the Afghan Independent Human Rights Commission and Afghan civil society organizations, while noting with grave concern, however, that there remain discriminatory practices that hinder the full enjoyment of their human rights and fundamental freedoms,

*Expressing its deep concern* about reports of violations of human rights and of international humanitarian law in parts of the country,

*Reminding* the Transitional Administration and all Afghan groups of their commitment to respect human rights in the country, as contained in the Bonn Agreement,

---

[6] See CD/1478.

*Reaffirming* the importance of the safety and security of the humanitarian personnel and United Nations and associated personnel in Afghanistan, and alarmed by the increase in attacks on humanitarian personnel, including Afghan nationals, in parts of the country,

*Noting with concern* that the increase in such attacks has limited access to certain areas of Afghanistan and led to inadequate conditions for the delivery of aid for internally displaced persons and vulnerable sectors of the civilian population,

*Recognizing* that a secure environment is indispensable for the safe and effective delivery and distribution of humanitarian assistance and is a precondition for rehabilitation, reconstruction efforts and long-term development, and welcoming the expansion of the mandate of the International Security Assistance Force to allow it, as resources permit, to support the Afghan Transitional Administration and its successors in the maintenance of security in areas of Afghanistan outside Kabul and its environs, so that the Afghan authorities, as well as the personnel of the United Nations and other international civilian personnel engaged, in particular, in reconstruction and humanitarian efforts, can operate in a secure environment, and to provide security assistance for the performance of other tasks in support of the Bonn Agreement,

*Welcoming* the ownership of the rehabilitation and reconstruction efforts by the Transitional Administration through the National Development Framework and national budget,

*Reiterating* the importance of a seamless transition from humanitarian relief to the rehabilitation and reconstruction of Afghanistan, and welcoming the important contribution that the integrated approach of the United Nations Assistance Mission in Afghanistan and of members of the donor community has made in this regard,

*Expressing its appreciation* to the Special Representative of the Secretary-General for Afghanistan and the United Nations Assistance Mission in Afghanistan for their continued efforts in coordinating, planning and implementing humanitarian and other assistance in cooperation with the Transitional Administration,

*Welcoming* the return of large numbers of refugees and internally displaced persons, while noting with concern that displacement remains a widespread phenomenon and that the conditions in certain parts of Afghanistan are not yet conducive to safe and sustainable returns to places of origin,

*Expressing gratitude* to those countries that continue to host Afghan refugee populations, and at the same time once again calling upon all groups to continue to fulfil their obligations for the protection of refugees and internally displaced persons and to allow international access for their protection and care,

*Expressing its appreciation* to the United Nations system and to all States and international and non-governmental organizations whose international and local staff continue to respond positively to the humanitarian needs of Afghanistan, as well as to the Secretary-General for mobilizing and coordinating the delivery of appropriate humanitarian assistance,

1. *Takes note* of the report of the Secretary-General;[3]

2. *Stresses* that the responsibility for the solution of the humanitarian crisis lies above all with the Afghan people themselves, and urges them to continue their efforts to achieve national reconciliation;

3. *Urges* all Afghan groups to actively support the Transitional Administration in meeting the responsibilities under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,[6] to cooperate fully with the mine action programme coordinated by the United Nations and to execute the destruction of all existing stocks of landmines;

4. *Stresses* the coordinating role of the Special Representative of the Secretary-General for Afghanistan for the United Nations system in ensuring a seamless transition from humanitarian relief to the rehabilitation and reconstruction of Afghanistan, including the cooperation of the United Nations system with other actors in the international community, in particular with the international financial institutions;

5. *Commends* the Special Representative of the Secretary-General, the United Nations Assistance Mission in Afghanistan and the Emergency Relief Coordinator for the work accomplished;

6. *Welcomes* the recent substantial contributions to the Law and Order Trust Fund, and at the same time regrets that the funding provided to the Afghanistan Reconstruction Trust Fund and the Law and Order Trust Fund, which were designed to contribute to the mobilization of international support to Afghanistan, remains inadequate;

7. *Urges* the international community to actively participate in and financially contribute to these rehabilitation and reconstruction efforts, and encourages the international community to channel assistance through the national development budget of the Afghan Transitional Administration and to focus attention on building the capacity of Afghans;

8. *Strongly condemns* the recent deliberate attacks and all other acts of violence and intimidation directed against humanitarian personnel and United Nations and associated personnel, and regrets the loss of life and physical harm suffered among such staff;

9. *Urges* the Transitional Administration and local authorities to ensure the safety, security and free movement of all United Nations and humanitarian personnel, as well as their safe and unimpeded access to all affected populations, and to protect the property of the United Nations and of humanitarian organizations, including non-governmental organizations;

10. *Notes* the ratification by Afghanistan of the Convention on the Elimination of All Forms of Discrimination against Women[5] on 5 March 2003, and at the same time strongly condemns once again continuing discrimination against women and girls, as well as against persons belonging to ethnic and religious groups, including minorities;

11. *Emphasizes* the importance of actively involving all elements of Afghan society, in particular women, in the development and implementation of relief, rehabilitation and reconstruction programmes;

12. *Reminds* all Afghan groups of their commitment to the Bonn Agreement,[1] and calls upon them to respect fully the human rights and fundamental freedoms of all, without discrimination of any kind, including on the basis of gender, ethnicity or religion, in accordance with their obligations under international law, and to protect and promote the equal rights of women and men;

13. *Welcomes* the start of the disarmament, demobilization and reintegration process by the Transitional Administration and the efforts of the international observer group to verify the fairness of the process, and calls upon the international community to assist the Transitional Administration in these efforts;

14. *Also welcomes*, in this regard, the accession of the Transitional Administration on 24 September 2003 to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,[7] and urges Afghan groups to refrain from the recruitment or use of children contrary to international standards, while stressing the importance of demobilizing and reintegrating child soldiers and other war-affected children;

15. *Emphasizes* the necessity of investigating allegations of violations of human rights and of international humanitarian law, including violations committed against persons belonging to ethnic and religious minorities, as well as against women and girls, of facilitating the provision of efficient and effective remedies to the victims and of bringing the perpetrators to justice in accordance with international law;

16. *Appeals* to the Transitional Administration and the international community to mainstream gender issues into all humanitarian assistance and future rehabilitation and reconstruction programmes and to actively promote the full and equal participation of and benefit to both women and men in respect of those programmes, underlining the importance of a senior gender adviser position in this context;

17. *Calls upon* the Transitional Administration to provide Afghan children with educational and health facilities in all parts of the country, recognizing the special needs of girls, and to ensure their full access to those facilities;

18. *Expresses its appreciation* to those Governments that continue to host Afghan refugees, and reminds them of their obligations under international refugee law with respect to the protection of refugees and the right to seek asylum;

19. *Calls upon* the Transitional Administration, acting with the support of the international community, to create the conditions for the voluntary, safe, dignified and sustainable return of Afghan refugees and internally displaced persons, welcomes in this respect the initiation of the National Area-Based Development Programme and the National Solidarity Programme, and calls upon the international community to provide adequate funding to these programmes which, inter alia, assist in the resettlement of Afghan refugees and internally displaced persons;

20. *Urges* donors to fulfil promptly the funding commitments made in Tokyo at the International Conference on Reconstruction Assistance to Afghanistan and reiterated in Dubai on 21 September 2003, and invites them to provide additional resources beyond those pledged so far;

21. *Urgently appeals* to all States, the United Nations system and international and non-governmental organizations to continue to provide, in close collaboration with the Transitional Administration and Afghan civil society, all possible and necessary humanitarian, financial, technical and material assistance for the Afghan population, inter alia, a minimal degree of health care and health services in all parts of the country;

[7] Resolution 54/263, annex I.

22. *Calls upon* the international community to continue and strengthen its coordination of humanitarian assistance to Afghanistan, bearing in mind the role of the Special Representative of the Secretary-General and the United Nations Assistance Mission in Afghanistan;

23. *Also calls upon* the international community to respond generously and without delay to the national development budget, as well as long-term interventions towards rehabilitation and reconstruction;

24. *Requests* the Secretary-General to report to the General Assembly every four months during its fifty-eighth session on the progress of the United Nations and the efforts of his Special Representative to promote peace in Afghanistan, and to report to the Assembly at its fifty-ninth session on progress made in the implementation of the present resolution;

25. *Decides* to include in the provisional agenda of its fifty-ninth session the sub-item entitled "Emergency international assistance for peace, normalcy and reconstruction of war-stricken Afghanistan".

*70th plenary meeting*
*5 December 2003*